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RCE/1742

# 10

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/104,123
Filing Date	June 24, 1998
First Named Inventor	Roberto J. Rioja
Group Art Unit	1742
Examiner Name	Sikyin Ip
Attorney Docket Number	97-2301

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) Required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 02-2556
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Alan G. Towner	Registration No. (Attorney/Agent)	32,949
Signature		Date	March 20, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ROBERTO J. RIOJA ET AL.

Serial No.: 09/104,123

Filed: June 24, 1998

Group Art Unit: 1742

Examiner: Sikyin Ip

:  
:  
: ALUMINUM-COPPER-MAGNESIUM  
: ALLOYS HAVING ANCILLARY  
: ADDITIONS OF LITHIUM  
:  
:  
:

: Attorney Docket No. 97-2301  
:  
:

11/B  
AB  
3/23/01

AMENDMENT

March 20, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Attn: BOX RCE

Sir:

Please enter the following Amendment.

In the Claims

Please amend Claims 1 and 12 as follows:

B1 5/2  
1. (Twice amended) An aluminum alloy consisting essentially of from about 3 to about 4.5 wt % copper, from about 1.0 to about 2 wt % magnesium and from about 0.01 to about 0.99 wt % lithium, wherein the copper, magnesium and lithium are present in the aluminum alloy in the form of a solid solution, and the amounts of copper and magnesium correspond to the formula  $Cu_{(-3/5.4)}(Mg-6)+1.5$ .

B2 5/2  
12. (Twice amended) An aluminum alloy consisting essentially of copper, magnesium and lithium, the lithium content being from about 0.01 to 0.99 wt % and the copper and magnesium weight percent values falling within a closed area on a graph with wt % copper on the x-axis and wt % magnesium on the y-axis, said closed area being bounded by generally straight lines joining the following points: